

REMARKS

Claims 1-10, 12-16, 33-38 and 40-44 are pending in this application. Claims 17-32 and 39 were previously canceled and claim 11 is currently canceled. Claims 9, 12, 15, 36 and 40 are amended herein. Applicant respectfully requests reconsideration of the claims in view of the following remarks.

Applicant wishes to thank the Examiner for allowing claims 1-8 and indicating the allowable subject matter of claims 11-14, 35 and 40-44.

Claims 15 and 38 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicant respectfully traverses this rejection. In particular, the last sentence of Paragraph [0024] clearly states "the isolation regions 102 may be formed either before or after stressed material layer 106 is formed in the channel region 105." As a result, the phrase "forming isolation regions in the workpiece, before or after forming the stressed semiconductor layer" is supported in the specification.

Claim 39 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 39 has been canceled herein and therefore any rejection of this claim is moot.

Claims 9-10, 16, 33-34 36, and 37 have been rejected in view of prior art. Claim 11, however, was not rejected (and was indicated as being allowable on the cover sheet). Therefore, claim 9 has been amended to include the limitations of claim 11. As indicated by the Examiner, these claims are allowable over the references of record.

Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Ira S. Matsil, Applicant's attorney, at 972-732-1001 so that such issues may be resolved as expeditiously as possible. No fee is believed due in connection with this filing. However, should one be deemed due, the Commissioner is hereby authorized to charge Deposit Account No. 50-1065.

Respectfully submitted,



---

Ira S. Matsil  
Attorney for Applicant  
Reg. No. 35,272

Slater & Matsil, L.L.P.  
17950 Preston Rd., Suite 1000  
Dallas, Texas 75252-5793  
Tel. 972-732-1001  
Fax: 972-732-9218